

said upper portion of said blade housing a blade, a bottom edge of said upper portion of said blade housing protruding on either end from said blade and an end surface being rounded and inclined upwardly and from either end of said bottom edge;

said lower portion of said blade housing slidably moving in said channel,

wherein said rails are formed of a material which is adapted to provide a positive charge to film received over said rails.

Please cancel claim 3.

### ***REMARKS***

The Office Action dated April 23, 2002 has been carefully considered. Claim 1 has been amended. Claim 3 has been cancelled. Claims 1, 2 and 4-18 are in this application.

The previously presented claims were rejected under 35 USC §102 as anticipated by U.S. Patent No. 4,197,774 to Singh et al. or under 35 USC §103 as obvious in view of Singh et al. in combination with U.S. Patent Nos. 4,960,022 to Chuang, 5,421,231 to Break et al., 4,819,618 to Rodriguez, 3,779,121 to Lagain or 5,036,740 to Tsai.

Applicants submit that the teachings of these references do not disclose or suggest the invention defined by the present claims.

Singh et al. disclose a traveling cutter assembly. The traveling cutting assembly has a cutter slide moveable in a track having roughened top surfaces. The cutter slide includes a top member extending lateral beyond a cutting element in overlying relationship with the roughened track surface. The top member has an extremely smooth stationary lower surface in regions overlying the roughened track surface. When the cutter slide moves in the track, the smooth lower surface of the top member is in sliding engagement with the sheet and presses the sheet into engagement with the roughened top track surfaces in order to prevent sliding movement between the sheet and the track.

In contrast to the invention defined by the present claims, Singh et al. do not teach or suggest that the rails are formed of a material adapted to provide a positive charge to film received over the rails. To the contrary, Singh et al. teach that the combination of an

upper roughened track surface and a smooth lower surface of a cutter slide creates a differential frictional coefficient of the slider to immobilize the film when the linear force necessary to sever the sheet is less than the opposing liner force that immobilizes the sheet on the track (col. 2, lines 38-60). As described on page 3, lines 4-12 of the application, the present invention has the advantage that the material of the rails helps hold the film flat before cutting and does not require pressure to be exerted on the film in order to determine a differential frictional coefficient, as disclosed in Singh et al. Further, in contrast to Singh et al., the blade housing of the present invention can sever a film without having the blade housing overlapping a significant portion of roughened rails and having an extremely smooth surface in order to immobilize the film. Moreover, there is no teaching or suggestion in Singh et al. of the use of a rail formed of a material which is adapted to provide a positive charge to a film received over the rails and the advantages thereof.

With regard to claim 12, applicants submit that Singh et al. do not teach or suggest that the blade is angled at a 30° angle from the bottom edge at the upper portion of the blade housing. As described on page 6, lines 1-8 of the application, the blade angle provides optimal performance of the present invention including rails providing a positive charge to a film. In contrast, in Singh et al. the film is held by friction, thereby making the blade angle less pertinent. Accordingly, the invention defined by the present claims is not obvious in view of Singh et al.

Chuang teaches a plastic film cutter slideable within a sliding furrow. On the bottom surface of the film cutter are rollers for keeping the film in a tensioned or flat shape. In contrast to the invention defined by the present claims, Chuang does not teach or suggest that the rails are formed of a material adapted to provide a positive charge to film received over the rails. Rather, Chuang teaches using roller means for keeping the plastic film in a tensioned state. Accordingly, Chuang does not cure the deficiencies of Singh et al noted above and the invention defined by the present claims is not obvious in view of Singh et al. in combination with Chuang.

Break et al. disclose a portable table saw including a saw track pivotally supported on a saw table. The saw is fixedly mounted in a saw slide slideable along tracks 46 by a

c-shaped vinyl guide mounted on the edges of the saw slide (col. 3, lines 35-45). In contrast to the invention defined by the present claims, Break et al. do not teach or suggest a film cutter apparatus. To the contrary, Break et al. disclose a portable table saw for cross cutting or rip cutting a work piece without requiring remounting or resetting of the standard power saw. There is no hint or suggestion in Break et al. that the power table saw could be used for cutting plastic film. Applicants submit that the typical table saw does not have a blade which is useful for cutting plastic wrap. Furthermore, Break et al. do not teach or suggest that the rails are formed of a material to provide a positive charge to film received over the rails. Instead, Break et al. teach the use of a vinyl saw slide to lessen friction between the moveable saw and the table. Accordingly, Break et al. teach away from the present invention by teaching use of vinyl for reducing friction rather than providing an attractive charge. There is no teaching or suggestion in Break et al. that the rails can be formed of a material to provide a positive charge to a film.

In addition, Applicants submit that one of ordinary skill in the art would not be motivated to combine Break et al. directed to a table saw with Singh et al. directed as a traveling cutter assembly for plastic film. It is only in hindsight that the Examiner can pick and choose features of Break et al. for combination with Singh et al. Further, even if the references were combined, the present invention is not obvious in view of Singh et al. in combination with Break et al. since neither reference teaches a film cutter including rails formed of a material to provide a positive charge to a film.

Rodriguez discloses a rotary paper trimmer having a base, pressure pad and blade holder assembly. The flexible pressure pad distributes downward pressure along a length of the pad and against a sheet positioned beneath the pad. A sheet of material is inserted between a gap between the top surface of the base and the bottom surface of the pad. A guide rail and gear track are formed on a upper surface of the pad. The blade holder is slid along the guide rail of the pressure pad. The pressure pad can be formed of acetal.

In contrast to the invention defined by the present claims, Rodriguez does not teach or suggest a film cutter apparatus including rails which are formed of a material adapted to provide a positive charge to film received over the rails. Rather, Rodriguez teaches that a pressure pad which is placed over the film is formed of acetal. Applicants

submit that the use of acetal in the Rodriguez pressure pad may provide a mechanism to reduce friction with the slideable blade holder assembly. However, Rodriguez does not teach or suggest that the base which holds the plastic film is formed of acetal or that the base can provide a positive charge to the film for holding the film against the rails. Accordingly, Rodriguez does not cure the deficiencies of Singh et al. described above and the invention defined by the present claims is not obvious in view of Singh et al. in combination with Rodriguez.


Lagain discloses a sheet material cutting apparatus. A double piston is slidably dispersed within a cylinder. A cutting blade is carried by the piston. Fluid is admitted under pressure in one end of the cylinder and escapes through a side wall near each end thereof. However, Lagain does not teach or suggest a film cutter apparatus having rails formed of a material adapted to provide a positive charge to film received over the rails. Accordingly, Lagain does not cure the deficiencies of Singh et al. and the invention defined by the present claims is not obvious in view of Singh et al. in combination with Lagain.

Tsai teaches a roller pressed film cutter apparatus. Four rollers are rotatably moving in a track. Film is pulled across the track and upon pushing of the slide holder the rollers will press and tension the film against the track. In contrast to the invention defined by the present claims, Tsai does not teach or suggest a film cutter apparatus having rails formed of a material adapted to provide a positive charge to film received over the rails. Accordingly, Tsai does not cure the deficiencies of Singh et al. noted above and the invention defined by the present claims is not obvious in view of Singh et al. in combination with Tsai.

In view of the foregoing, Applicants submit that all pending claims are in condition for allowance and request that all claims be allowed. The Examiner is invited to contact the undersigned should he believe that this would expedite prosecution of this

application. It is believed that no fee is required. The Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 13-2165.

Respectfully submitted,

  
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**CLAIMS MARKED TO SHOW CHANGES**

1. (Amended) A film cutter apparatus comprising:

an elongated rail base;

a pair of rails formed at a top surface of said elongated rail base and a channel formed within said rail base and between said rails; and

a blade housing formed of an upper portion and a lower portion;

said upper portion of said blade housing<sup>housing</sup> a blade, a bottom edge of said upper portion of said blade housing protruding on either end from said blade and an end surface being rounded and inclined upwardly and from either end of said bottom edge;

said lower portion of said blade housing slidably moving in said channel,

wherein said rails are formed of a material which is adapted to provide a positive charge to film received over said rails.